

Senate File 64 - Introduced

SENATE FILE _____
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SF 15)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act specifying those authorized to solemnize marriages in this
2 state.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1190SV 83
5 pf/rj/5

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1 1 Section 1. Section 595.10, subsection 1, Code 2009, is
1 2 amended to read as follows:
1 3 1. A ~~judge of the~~ supreme court ~~justice~~, court of appeals
1 4 ~~judge~~, or district court ~~judge~~, including a district associate
1 5 judge, associate juvenile judge, or a judicial magistrate, and
1 6 including a senior judge as defined in section 602.9202,
1 7 subsection 3, ~~or a retired supreme court justice, a retired~~
1 8 ~~court of appeals judge, or a retired district court judge.~~

1 9 Sec. 2. Section 595.12, Code 2009, is amended to read as
1 10 follows:

1 11 595.12 FEE AND EXPENSES.

1 12 1. A judge or magistrate authorized to solemnize a
1 13 marriage under section 595.10, subsection 1, may charge a
1 14 reasonable fee for officiating and making return for each
1 15 marriage solemnized at a time other than regular judicial
1 16 working hours. In addition the judge or magistrate may charge
1 17 the parties to the marriage for expenses incurred in
1 18 solemnizing the marriage. ~~No A judge or magistrate shall make~~
1 19 ~~any not~~ charge for solemnizing a marriage during regular
1 20 judicial working hours. The supreme court shall adopt rules
1 21 prescribing the maximum fee and expenses that the judge or
1 22 magistrate may charge.

1 23 2. ~~A minister~~ An individual authorized to solemnize a
1 24 marriage under section 595.10, subsection 2, may charge a
1 25 reasonable fee for each marriage solemnization and making
1 26 return in an amount agreed to by the parties.

1 27 Sec. 3. Section 595.13, Code 2009, is amended to read as
1 28 follows:

1 29 595.13 CERTIFICATE == RETURN.

1 30 After the marriage has been solemnized, the officiating
1 31 ~~minister or magistrate~~ individual authorized to solemnize a
1 32 ~~marriage under section 595.10~~ shall attest to the marriage on
1 33 the blank provided for that purpose and return the certificate
1 34 of marriage within fifteen days to the county registrar who
1 35 issued the marriage license.

2 1 Sec. 4. Section 595.16, Code 2009, is amended to read as
2 2 follows:

2 3 595.16 SPOUSE RESPONSIBLE FOR RETURN.

2 4 When a marriage is consummated without the services of a
2 5 ~~cleric or magistrate~~ an individual authorized to solemnize a
2 6 ~~marriage under section 595.10~~, the required return of the
2 7 marriage may be made to the county registrar by either spouse.

2 8 EXPLANATION

2 9 This bill authorizes, in addition to those judges already
2 10 authorized to solemnize marriage, retired supreme court
2 11 justices, retired court of appeals judges, and retired
2 12 district court judges to solemnize marriages in this state.
2 13 The bill also makes corrective changes in provisions of Code
2 14 chapter 595 (marriage) relating to those who currently are
2 15 authorized to solemnize marriages.

2 16 LSB 1190SV 83

